

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

.....X

*In re Terrorist Attacks on September 11, 2001*

No. 03 MDL 1570(GBD)(SN)

.....X

**SUPPLEMENTAL DECLARATION OF SARAH S. NORMAND**

SARAH S. NORMAND, pursuant to 28 U.S.C. § 1746, declares as follows:

1. I am an Assistant United States Attorney in the office of Geoffrey S. Berman, United States Attorney for the Southern District of New York, attorney for non-party the Federal Bureau of Investigation (“FBI”), a component of the United States Department of Justice (“DOJ”). Along with my colleagues Jeannette A. Vargas and Andrew E. Krause, I have been assigned to represent the interests of the United States and its agencies and components, including the FBI, in this matter.

2. I submit this declaration in support of the FBI’s partial opposition to the motion filed by the Plaintiffs’ Executive Committees (“PECs”) to compel the FBI to produce information contained in a document known as the 2012 FBI Summary Report.

3. The statements in this declaration are based on my personal knowledge and records and information obtained from the FBI.

4. In 2016, the FBI produced a redacted version of the 2012 Summary Report in response to a request under the Freedom of Information Act (“FOIA”). A true and complete copy of the redacted document produced under FOIA is attached hereto as Exhibit J.

5. On May 1, 2019, at the request of the PECs, the FBI produced an interim version of the 2012 Summary Report (Bates-stamped FBI000361-364) pursuant to the FBI Protective Order. The interim version is attached as Exhibit 10 to the Declaration of Sean P. Carter dated

May 31, 2019 (“Carter Decl.”), filed under seal. The interim version lifted certain redactions that had been applied to the FOIA-produced version of the report.

6. On July 12, 2019, the FBI produced a revised version of the 2012 Summary Report (Bates-stamped FBI001142-1145) pursuant to the FBI Protective Order. The July 12 version lifted a redaction to one word (“contact”) that had been applied inadvertently on the last page of the interim version.

7. On August 30, 2019, the FBI produced a revised version of one page of the 2012 Summary Report pursuant to the FBI Protective Order (Bates-stamped FBI001143REVISED), which lifted an additional redaction after receiving authorization from a foreign government.

8. As described in the Public Declaration of Michael C. McGarrity, dated September 12, 2019, the FBI has declassified the name of the third main subject of investigation described in the 2012 Summary Report, and is releasing that name pursuant to the FBI Protective Order. Attached hereto as Exhibit K is a true and complete copy of the 2012 Summary Report, with the name unredacted in the first and last sentences on the last page of the report (Bates-stamped FBI001145REVISED 9-12-2019). Exhibit K also contains a true and complete copy of the key describing the redaction codes that the FBI has applied to the 2012 Summary Report, as well as to other documents in the FBI’s production. Because Exhibit K is subject to the FBI Protective Order, it is being filed under seal. A redacted version of Exhibit K, which tracks the information released in the FOIA-produced version, is being filed publicly via ECF.

9. On May 22, 2019, the PECs identified the specific redactions in the interim version of the 2012 Summary Report that they intended to challenge. *See* Carter Decl., Exh. 10. Two of those redactions, on the last page of the report, are no longer at issue because the FBI has

declassified and released the name pursuant to the FBI Protective Order.

10. In addition, in meet and confer discussions, the PECs have advised FBI counsel that they are not seeking the following information from the 2012 Summary Report: (1) the classified name of the FBI's investigation, (2) internal file numbers, (3) the names/identifiers of the field office squad conducting the investigation and the headquarters unit overseeing the investigation, and (4) the names and telephone numbers of the field office and headquarters points of contact.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York  
September 12, 2019

/s/ Sarah S. Normand  
SARAH S. NORMAND  
Assistant United States Attorney